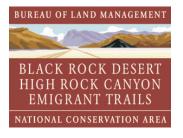


Chapter 1: Purpose and Need



Chapter 1: Purpose and Need

On December 21, 2000, the President signed the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000 (the NCA Act) into law, establishing the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area (NCA) and 10 associated Wilderness Areas. The NCA and the Wilderness Areas are collectively known as the Black Rock-High Rock planning area. This Final Environmental Impact Statement and Resource Management Plan (EIS and RMP) analyzes various reasonable alternatives for managing the Black Rock-High Rock planning area, and sets forth a Proposed RMP (contained in Volume 3 of this document) which was assembled from different pieces of each of the alternatives in the Draft EIS. The Black Rock-High Rock planning area is administered by the Bureau of Land Management (BLM) in northwestern Nevada and includes other contiguous areas that are described in Section 1.2 of this chapter. This chapter provides an overview of the planning area, the purpose and need for this plan, the collaborative planning process used to develop this plan, and current status of this effort.

1.1 BACKGROUND

The Black Rock-High Rock NCA and Wilderness Areas were established by Congress to conserve, protect, and enhance resources associated with the Applegate-Lassen and Nobles Trails corridors and the surrounding areas for the benefit and enjoyment of current and future generations. These resources can be historical, cultural, paleontological, scenic, scientific, biological, educational, wildlife, riparian, Wilderness, endangered species, and recreational.

Establishment of Wilderness Areas, administered under the Wilderness Act of 1964, ensures that certain lands are preserved and protected in their natural, primitive condition. The 10 Wilderness Areas that the NCA Act established in the planning area were formed from 11 previous Wilderness Study Areas.

Congress has legislated 33 vehicle access routes that dead-end inside the boundaries of the 10 Wilderness Areas. Seven of these were created in the NCA Act of December 21, 2000,

and 26 were added by passage of the technical amendment to the Act of November 6, 2001, which clarified the description of the NCA. These vehicle access route corridors (100 feet on either side of the routes' centerlines) are not part of any designated wilderness, although they are considered part of the planning area because of their proximity to the NCA and Wilderness Areas and the role they play in the transportation network of the area. Map 3-4 shows the Wilderness access routes.

Overall, the NCA Act, as amended, found that the Black Rock-High Rock planning area contained nationally significant historic trails; an absence of development; unique Great Basin biota; a wilderness landscape largely unchanged since the days of the pioneers; and significant cultural, archaeological, paleontological, and geographical resources. The NCA Act also identified grazing and special recreation permit events as valuable existing land uses that are expected to continue in conjunction with the NCA.

The NCA Act directed the Secretary of Interior, through BLM, to manage the NCA and Wilderness Areas in a way that conserves and protects the resources identified. Subject to the stated purposes of the Act and the conditions established in the RMP, specific land uses were prescribed for the NCA and Wilderness Areas, including the following:

- Access. Allow reasonable use, access to private land, and maintenance of existing roads
- Off-Highway Vehicle (OHV) Use. Allow OHV use only in designated open areas and along designated routes.
- **Permitted Events**. Continue to allow large-scale permitted events in low-impact areas.
- **Grazing.** Allow permitted grazing to continue, subject to all applicable laws, regulations, and executive orders.
- Visitor Service Facilities. Establish facilities to provide information on area resources.
- **Road Maintenance.** Allow gravel pits for maintaining roads within the NCA.
- Mineral Rights. Subject to valid existing rights, all lands are withdrawn from mineral exploration, leasing, and development.

The NCA Act also declared that no buffer zones or limitations on uses of public land outside the NCA would be allowed.

1.2 DESCRIPTION OF THE PLANNING AREA

The Black Rock–High Rock planning area encompasses approximately 1.2 million acres of public lands in northwest Nevada (Map 1-1) This area—approximately the same size as the State of Delaware—extends across the counties of Washoe, Pershing, and Humboldt and is administered by BLM's Winnemucca (Nevada) and Surprise (California) Field Offices.

The planning area is composed of open desert playa, canyons, cliffs, and sagebrush flats. Portions of several mountain ranges are within the planning area and add to the area's physical and biological diversity. The Black Rock Desert Playa, which was part of ancient Lake Lahontan, covers more than 160,000 acres. This playa area is characterized by a large flat area surrounded by dunes and low hummocks.

The High Rock Canyon portion of the planning area is characterized by cliffs, canyons, rimrock and sagebrush steppe habitats. Small shallow lakes and perennial and intermittent streams are scattered throughout the planning area. More than half of the planning area is made up of designated Wilderness Areas, which are managed to maintain the wilderness values of naturalness, solitude and primitive recreation.

Significant cultural resources are found throughout the planning area. These include the Applegate-Lassen Emigrant Trail, which is designated as a national historic trail. Other historic resources include the Nobles Trail, the Western Pacific Railroad, sites related to seven historic mining districts, military sites, and traces of past ranching activity. Prehistoric resources are also well represented, with quarrying sites, lithic scatters, rock shelters and caves, campsites, and rock art.

The largest part of the planning area consists of the 815,068 acre NCA, whose central focus is the Applegate-Lassen Emigrant Trail. 378,329 acres of the NCA are Wilderness.

The planning area also contains 373,515 acres of Wilderness outside of the NCA.

Finally, the planning area includes three areas not covered by the NCA Act:

- South Playa (14,671 acres),
- Lahontan Cutthroat Trout Area (15,746 acres),
- Corridors for certain roads and routes, such as Wilderness access routes, Wilderness boundary roads, and routes outside of the NCA (a total of 1,821 acres).

These areas were included in the planning area because of their contiguity with the NCA and their similar planning issues.

The NCA Act requirements do not apply to the South Playa and the Lahontan Cutthroat Trout Area. However, this plan will provide the decisionmaking framework necessary to effectively manage these additional areas as well as the NCA and Wilderness Areas.

The 15,746-acre Lahontan Cutthroat Trout Area, shown on Map 2-27, includes BLM-administered lands in four categories:

- The 12,378-acre Lahontan Cutthroat Trout Instant Study Area, which is managed as (and referred to in this plan as) a Wilderness Study Area.
- BLM-administered lands that were acquired from non-Federal owners after the Wilderness Study Area designation, and therefore are not considered part of the Wilderness Study Area. These lands encompass 734 acres.
- BLM-administered lands in a strip of public land between the Wilderness Study Area and the Summit Lake Paiute Indian Reservation. This area encompasses 2,186 acres.
- Other areas and road corridors south and west of the WSA amounting to 448 acres

There are 17,740 acres of private lands contained by the planning area. These lands are not managed by BLM, and are not subject to decisions contained in this planning document.

Table 1-1 summarizes the land area, in acres, of the different portions of the planning area.

Table 1-1. Federal Acreage of Planning
Area Units

Planning Area Unit	Land Area (Acres)	
NCA	815,068	
Wilderness Areas		
Wilderness in the NCA ¹	378,329	
Wilderness outside of the	373,515	
NCA		
Lahontan Cutthroat Trout Area	15,746	
Lahontan Cutthroat Trout	12,378	
Wilderness Study Area ²		
South Playa	14,671	
Road Corridors Not Included in	1,821	
Above Areas		
Total Federal Acreage in the	1,220,821	
Planning Area ³		

¹Included in the NCA total

1.3 PURPOSE AND NEED FOR THE RMP

This document constitutes the Final EIS and RMP for the Black Rock-High Rock planning area. The purpose of this Final is to provide overarching guidance for BLM's management of the planning area consistent with the spirit and intent of the NCA Act and other existing statutes, regulations, and policy. The plan also takes into consideration public input received during the scoping period.

The Final EIS and RMP evaluates and compares current management practices (known as the No Action Alternative) and three potential management alternatives, along with their associated environmental consequences. Understanding these effects will help BLM make an informed decision on the future management direction for the area.

The guidance provided by this plan will enable BLM to manage and allocate uses of the public lands and resources included in the planning area.

²Included in the Lahontan Cutthroat Trout Area total

³The entire planning area, including the 17,740 acres of private lands, which are not covered by this Plan, totals 1,237,827 acres.

1.3.1 NATIONAL LANDSCAPE CONSERVATION SYSTEM

An essential consideration in developing the RMP was that it be consistent with the overall mission of BLM's National Landscape Conservation System (NLCS). The NLCS assembles BLM's premier designations, including NCAs and Wilderness Areas, into an organized system to increase public awareness of the cultural. scientific, educational. ecological, and other values associated with these areas. The overall vision of the NLCS is:

"BLM's Great American Landscapes: healthy, wild and open."

Five NLCS objectives have been developed to help achieve this vision:

- Above all, commit to conserving, protecting, and restoring special values of the landscape, as directed by BLM's organic act (the Federal Land Policy and Management Act of 1976 [FLPMA]).
- Build and sustain community relationships to foster collaborative stewardship.
- Continue to manage compatible uses and valid existing rights, consistent with the values for which the area was designated.
- Provide opportunities for the individual to explore and discover these special areas.
- Foster scientific research and public education and acquire a better understanding of how to manage these landscapes.

These five objectives have been incorporated into the overall goals of the RMP, which are stated in Chapter 2.

1.3.2 LEGISLATIVE REQUIREMENTS

The NCA Act recognizes that the Black Rock Desert–High Rock Canyon Emigrant Trails NCA provides "unique and nationally important historical, cultural, paleontological, scenic, scientific, biological, educational, wildlife, riparian, wilderness, endangered species, and recreational values and resources associated with the Applegate-Lassen and Nobles Trails corridors and surrounding areas."

The legislation directs BLM to develop a "comprehensive resource management plan for the long-term protection and management of the conservation area" within 3 years of the enactment of the NCA Act or by December 20, 2003.

In designating the Black Rock—High Rock planning area as an NCA and Wilderness Areas, the NCA Act placed new emphasis on and imposed new requirements for resource uses within the planning area. These, in turn, required the development of a new RMP for this unique area.

The implementation of the plan constitutes a major Federal action and is therefore subject to the National Environmental Policy Act (NEPA) of 1969. NEPA requires Federal agencies to consider environmental consequences in their decisionmaking process. The President's Council on Environmental Quality issued regulations for implementing NEPA, including provisions on the content and the procedural aspects of the required environmental analysis. The most comprehensive level of analysis is an Environmental Impact Statement, or EIS,—the level being applied to the Black Rock–High Rock RMP

Development of the alternatives considered in this plan, and assessment of their effects, is required under NEPA.

This plan also fulfills the requirements of FLPMA, which mandates that BLM develop comprehensive land use management plans and solicit and consider public input in developing management guidance for public lands, while complying with the laws and policies established by Congress and the executive branch of the Federal Government.

1.3.3 RMP AND EIS DEVELOPMENT PROCESS

In accordance with the requirements of NEPA and FLPMA, this plan is being developed through an open, collaborative public process and is based on the public input provided since the effort began in 2001. This development process is described in greater detail in Section

1.6 (Overview of the Planning Process), Chapter 5 and in Appendix A.

1.4 PLANNING ISSUES

Following passage of the NCA Act, BLM conducted an analysis of the planning area, and issues associated with its new status, to prepare for the current planning effort. This analysis, known as the Pre-Plan Analysis for the Resource Management Plan for the Black Rock Desert—High Rock Canyon Emigrant Trails National Conservation and Associated Wilderness Areas (or Pre-Plan), identified issues and management concerns for the Black Rock—High Rock planning area.

The Pre-Plan, as revised, identified four major issues to be addressed in the planning effort:

- How will the natural, cultural, and Wilderness resources of the NCA and Wilderness Areas be preserved?
- How will people's activities and uses of the area be managed?
- How will NCA management be integrated with other agency and community plans and needs?
- What facilities and infrastructure are needed to provide visitor services, information, and administration of the NCA?

In addition to these considerations, issues were identified by members of the public through the scoping process, a 60-day period during which members of the public can submit comments for BLM to consider in preparation of the RMP. Scoping begins early in the planning process, after publication of the Notice of Intent in the *Federal Register*. Both the Notice of Intent and scoping are required under NEPA.

A more detailed description of the scoping process is provided in Chapter 5 of this document. Chapter 5 also summarizes the issues identified during the scoping process that are addressed in this plan.

1.5 PLANNING CRITERIA

BLM planning regulations (43 Code of Federal Regulations 1610) require preparation of planning criteria to guide development of all RMPs. Planning criteria are the constraints or ground rules that guide development of the plan and determine how the planning team approaches development of alternatives and, ultimately, selection of a preferred alternative. These criteria ensure that plans are tailored to the identified issues and that unnecessary data collection and analyses are avoided. Planning criteria are based on (1) the standards prescribed by applicable laws and regulations; (2) agency guidance; (3) the results of consultation and coordination with the public; other Federal, state, and local agencies and governmental entities; and Native American tribes; (4) analysis of information pertinent to the planning area; and (5) professional judgment.

The NCA Act, as amended; other existing laws, regulations, and BLM policy; and the principles of ecosystem-based management, multiple use, and sustained yield will guide land use decisions in the planning area.

The commitment to multiple use does not mean that all land will be open for all uses. Some uses may be excluded on some land to protect specific resource values or uses. Any such exclusion, however, will be based on laws or regulations or will be determined through a planning process subject to public involvement.

The plan will be developed with full public participation and will describe the appropriate uses and management of the NCA consistent with the provisions of the NCA Act.

The plan may incorporate appropriate decisions contained in any current management or activity plan for the area and information developed in previous studies of the lands within or adjacent to the NCA.

The following preliminary planning criteria were developed internally and were included in the Pre-Plan:

• The plan will be completed in compliance with FLPMA, the Wilderness Act, and all

- other applicable laws. It will meet the requirements of Public Law 106-554 to protect the NCA's and the Wilderness Areas' natural resources and outstanding recreational opportunities.
- The NCA Planning Team will work cooperatively with, and may include members from, the State of Nevada; tribal governments; county and municipal governments; other Federal agencies; and other interested groups, agencies, and individuals. Public participation will be encouraged throughout the process.
- Parts of the areas covered by two resource advisory councils (RAC), the Northwest Great Basin-Sierra Front RAC and the Northeastern California RAC, include the NCA and the Wilderness Areas. A subgroup composed of members of these two RACs will be used to provide additional public input.
- The plan will establish the guidance on which BLM will rely in managing the NCA and the Wilderness Areas.
- The planning process will include an EIS that will comply with NEPA.
- The plan will emphasize the protection and enhancement of the NCA's and the Wilderness Areas' resource values, while providing the public with opportunities for compatible recreation activities.
- Parts of the NCA and Wilderness Areas have been part of the National Fee Demonstration Program. User fees have been charged for all commercial use in the area. Fees will continue to be charged under the authority of the demonstration program.
- The plan will recognize valid existing rights within the NCA and Wilderness Areas and will review the way in which valid existing rights are verified. The plan also will outline the process BLM will use to address applications or notices filed after the completion of the plan on existing claims or other land use authorizations.
- The concerns and interests of area residents, including the activities of grazing, hunting, trapping, fishing, mining, energy development, and access, will be recognized in the plan.
- Any lands located within the NCA's administrative boundary, or interests therein, that are acquired by BLM will be managed

- in a way that is consistent with the plan, subject to any constraints associated with the acquisition. Lands will be acquired only from willing sellers who initiate the process with BLM.
- The plan will recognize the state's responsibility for managing wildlife, hunting, fishing, trapping, and water.
- The plan will address transportation and access and will identify where better access is warranted, where access should remain as is, and where decreased access is appropriate to protect NCA resources and manage visitation. This will include access to private lands within the boundaries of the NCA and the Wilderness Areas and state and county needs.
- The management of grazing is regulated by laws and regulations in addition to the NCA Act. The plan will be consistent with Rangeland Health Standards and Guidelines, as adopted by the California and Nevada BLM offices.
- The planning process will involve Native American tribal governments and will provide strategies for the protection of recognized traditional uses and cultural values.
- Decisions in the plan will strive to be compatible with the existing plans and policies of adjacent local, state, and Federal agencies, as long as the decisions are in conformance with congressional direction for management of the NCA and Wilderness Areas (examples are county general plans and Federal recovery plans).
- The plan will incorporate appropriate decisions from existing BLM plans, such as current management plans or activity plans (for grazing, wild horses and burros, Areas of Critical Environmental Concern, etc.) for the area. It will also use information developed, and management alternatives proposed, in previous studies of the lands within or adjacent to the NCA (such as the Draft Sonoma-Gerlach/Paradise-Denio Plan Amendment).
- Federal Geographic Data Committee standards and other applicable BLM standards will be followed.
- The planning process will provide an easily maintained, spatially based plan, relying heavily on maps, with minimal text. The

goal is to develop a plan with spatial data that is easily accessible and can be reused for subsequent NEPA analysis. When data changes, the plan should be updated automatically to reflect those changes. BLM also intends to provide public access to this data.

• The plan will be completed before December 20, 2003.

As additional issues were identified, the preliminary criteria were revised to reflect them. The revised planning criteria, shown below, were published in a newsletter distributed to everyone on the project mailing list. They also were published on the project Web site, www.BlackRockHighRock.org.

- Comply with the spirit and letter of the NCA Act, as amended.
- Conserve and protect the emigrant trails, other historic routes, and their settings.
- Comply with other laws and applicable regulations and BLM policies, including but not limited to, the Endangered Species Act, the Clean Water Act, the Rangeland Health Standards and Guidelines, and the Free-Roaming Wild Horse and Burro Act.
- Use decisions from previous land use plans, activity plans, etc., where appropriate.
- Be consistent with the plans, programs, and policies of other Federal agencies, state and local governments, and American Indian tribes, where possible.
- Provide for continued livestock grazing use where it was previously permitted at the time of the NCA Acts's enactment, subject to all applicable laws, regulations, and executive orders.
- Provide for adequate access to privately owned land or interests.
- Maintain adequate public access for the reasonable use and enjoyment of the area.
- Allow OHVs only in designated open areas and along designated routes.
- Designate areas suitable for large-scale permitted events.
- Maintain state jurisdiction of fish and wildlife management (hunting, trapping, and fishing) in NCA and Wilderness.
- Allow use of gravel pits within the NCA for road maintenance.

- Allow no new mineral entry in Wilderness or the NCA.
- Do not create buffer zones on lands adjacent to the NCA or Wilderness Areas.
- Manage Wilderness Areas in a manner that is consistent with the Wilderness Act.
- Manage Wilderness Study Areas in accordance with the Interim Management Policy.
- Allow wildland fire protection, including prescribed burns within the NCA and Wilderness.
- Recognize valid existing rights.

1.6 OVERVIEW OF THE PLANNING PROCESS

There are three tiers in the BLM land use planning process.

- The **First Tier** is composed of laws, regulations, and policies that govern BLM's administration and management.
- The **Second Tier** is RMP-level planning, including the preparation, amendment, and maintenance of BLM land use plans.
- The **Third Tier** is activity-level planning and daily operations.

The Final EIS and RMP is part of the second tier of BLM planning. An RMP prescribes general future resource and land use management for BLM-administered public lands in the planning area. In addition, the RMP is used to address and resolve planning issues associated with current management. Appropriate management direction is provided to prevent or address potential conflicts and to determine appropriate levels for resource use.

The land use planning process undertaken by BLM is mandated by FLPMA. Section 202 (a) of the FLPMA states, "The Secretary shall, with public involvement . . . develop, maintain, and, when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands" (43 U.S. Code 1712).

The process is further described in BLM Handbook H-1601-1 (Land Use Planning

Handbook), which states that the ". . . BLM will use an ongoing planning process to ensure that land use plans and implementation decisions remain consistent with applicable laws, regulations, orders, and policies. This process will involve public participation, assessment, decisionmaking, implementation, plan monitoring, and evaluation, as well as adjustment through maintenance, amendment, and revision" (p. I-3). Generally, all of these activities are provided for through a basic nine-step process:

- 1. Issue identification
- 2. Development of planning criteria
- 3. Inventory and data evaluation
- 4. Analysis of the management situation
- 5. Formulation of alternatives
- 6. Estimation of effects of alternatives
- 7. Selection of the preferred alternative
- 8. Selection of the proposed plan
- 9. Monitoring and evaluation.

1.7 RELATIONSHIP TO STATUTES, REGULATIONS, AND POLICY

This plan is in accordance with all applicable Federal statutes and regulations listed in Appendix A. Moreover, this Final RMP and EIS is in accordance with the NCA Act and Wilderness Act, which apply to 97 percent of the planning area. The NCA Act, which established the NCA, prompted the preparation of this Final RMP and EIS because the Act required a plan to be prepared for the NCA and Wilderness areas in the planning area within three years of the Act becoming law.

Sections 1.1 (Background) and 1.3 (Purpose and Need) that appear earlier in this chapter describe the relationship between the NCA Act, the planning area and this planning effort.

Appendix A lists the major Federal statutes and regulations that apply to this planning

document. It also contains the full text of both the NCA Act and the Wilderness Act for information purposes.

1.8 CONSISTENCY WITH OTHER PLANS

In accordance with the Federal Land Policy and Management Act, the BLM must coordinate inventory, planning, and management activities with other Federal departments and agencies, Indian tribes, and State and local governments to ensure consistency with those plans to the maximum extent practical and legal. These include county master plans for Humboldt, Pershing and Washoe Counties.

As part of the collaborative planning process used to develop this planning document, representatives from the Nevada Association of Counties, the Nevada state government including the Nevada Department of Wildlife, and the Summit Lake Paiute Tribe contributed considerable time and input into ensuring that the actions and impacts contained in this Final are consistent with their respective plans and policies.

These representatives participated in meetings of the RAC Subgroup, development of the planning alternatives contained in Chapter 2, description of the affected environment contained in Chapter 3, and identification of the potential impacts contained in Chapter 4.

A more detailed description of the collaboration occurring during the development of this Final is contained in Chapter 5 of this document.

1.9 RELATIONSHIP WITH THE NEVADA DEPARTMENT OF WILDLIFE

The NCA Act states:

"Nothing in this Act shall be deemed to diminish the jurisdiction of the State of Nevada with respect to fish and wildlife management, including regulation of hunting and fishing, on public lands within the conservation area"

and

"Nothing in this Act diminishes the jurisdiction of the State of Nevada with respect to fish and wildlife management, including regulation of hunting and fishing on public land in the areas designated as wilderness under subsection (a)."

The jurisdiction of the Nevada Department of Wildlife (NDOW) is primarily related to the management of populations of fish and wildlife that occur within the planning area. NDOW inventories wildlife populations, conducts trap and transplant activities and regulates hunting and fishing activities. Management of the habitat within the planning area that resident populations of fish and wildlife depend are the responsibility of BLM (43 CFR part 24.4(d). BLM manages uses that affect wildlife populations and habitats and implements habitat improvement projects.

The distinction between populations and habitat is not always straightforward in practice. The BLM consults and cooperates with the NDOW on wildlife species management. NDOW sets population and species management goals for both game and non-game species within the state. The BLM collaborates with NDOW in helping to meet these goals by providing an appropriate amount and quality of habitat on public land, consistent with multiple use management. NDOW routinely constructs on-the-ground projects that enhance wildlife

populations and BLM often works directly with populations of wildlife to conduct inventories, monitor trends, and recover populations.

The needs of wildlife populations and their habitats are inseparable and to meet those needs the BLM and NDOW partnership must maintain regular and open lines of communication to ensure that both agencies can effectively fulfill their roles in meeting the needs of wildlife populations. This RMP is intended to provide broad guidance about wildlife habitats. Because the designation of wilderness potentially constrains the manner and degree of wildlife management actions, detail will be added to the plan where possible to clarify issues raised by NDOW related to their management of wildlife populations and habitat improvement projects. Other decisions, policies and operational procedures may be deferred when site-specific projects or other actions are proposed. When statewide Memoranda of Understanding or other agreements are available, they will used to streamline application of the both agencies within the management by planning area.

